

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-3, 5-6, 8-12, 14-19, 21-26 and 28-30 are pending, with Claim 7 cancelled and Claims 1, 10, 17, 23 and 24 amended by the present amendment.

In the Official Action, Claim 7 was rejected under 35 U.S.C. § 112, first and second paragraphs; Claims 1-3, 5-6, 10-12, 14-19, 21-26 and 28-29 were rejected under 35 U.S.C. § 103(a) as being obvious over Togashi (U.S. Patent Publication No. 2002/0036377); Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Togashi in view of Billings et al. (U.S. Patent No. 6,688,590, hereinafter Billings); Claim 30 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Togashi in view of Yasufuku (Application of Engineering Plastic Materials to Office Automation and Audio-Visual Appliances in Japan); Claims 1, 3, 8, 10, 12, 16, 17, 19, 23, 24 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Togashi in view of Ito (JP 2002-68511).

Claims 1, 10, 17, 23 and 24 are amended to recite that the contact face and tilt face are made of a different material than the underlying tilt member. Support for this amendment is found in Applicants' originally filed specification.¹ No new matter is added.

Togashi describes a tilt member formed of synthetic resin.² However, Togashi does not disclose or suggest Applicants' claimed tilt member formed of one synthetic resin and having a contact face and tilt face formed of another synthetic resin formed from the group of polybutylene terephthalate (PBT), polyethylene (PE), poly-ether-ether-ketone (PEEK), and polyimide (PI). Applicants have considered the remaining applied references and submit these references do not cure the deficiencies of Togashi.

¹ Specification, paragraph 0021.

² Togashi, paragraph 0102.

MPEP §706.02(j) notes that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Also, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Without addressing the first two prongs of the test of obviousness, Applicants submit that the Official Action does not present a *prima facie* case of obviousness because each of the applied references fail to disclose all the features of Applicants' claimed invention.

Accordingly, in view of the present amendment and in light of the previous discussion, Applicant respectfully submits that the present application is in condition for allowance and respectfully request and early and favorable action to that effect.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Michael E. Monaco
Registration No. 52,041